

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1415 - HB 1402

March 11, 2017

SUMMARY OF BILL: Requires a court to calculate restitution to a victim of involuntary labor servitude using the reasonable market value of the labor or services provided by the victim to the defendant.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 39-13-307 prohibits anyone from knowingly subjecting another person to forced labor or services.
- Anyone convicted of involuntary labor servitude must be ordered to pay restitution to the victim. Restitution shall be set at either the gross income or value to the defendant of the victim's labor or services, or the value of the victim's labor as guaranteed under the minimum wage and overtime provisions of the Fair Labor Standards Act, whichever is higher.
- The proposed legislation requires a court, for gross income or value to the defendant method, to calculate the amount based on the reasonable market value of the labor or services provided by the victim.
- The proposed legislation will not significantly impact state incarceration costs, because it impacts restitution paid by a defendant, not the time served, or court operations.
- The Administrative Office of the Courts and the Department of Correction confirm that the proposed legislation will not impact incarceration costs or court operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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